IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

Wednesday, The First Day of September
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 15582 of 2004

Between:

T.Ebenezer, S/o.T.Boaz,
(Under orders of compulsory retirement), Indian Bank, Hyderabad.

..... PETITIONER

AND

1 The Indian Bank rep.by its General Manager & Appellate Authority,

Head office,Chennai-600001.

2 The Indian Bank, rep.by its Dy.General Manager & Disciplinary Authority,

Indian Bank Circle office,
3-6-365, 2nd floor, Liberty plaza, Himayat Nagar,
Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus (a) declaring the action of the respondents in not disposing of the appeal preferred by the petitioner on 29-1-2003 against the orders of compulsory retirement from service dt.17-12-2002 as arbitrary, illegal, apart being violative of rights guaranteed to the petitioner under Art.14 & 16 of the Constitution of India and (b) consequently, direct the 1st respondent to dispose of the appeal preferred by the petitioner on 29-1-2003 against the orders of compulsory retirement from service dt.17-12-2002 within

a period of 4 weeks.

For the Petitioner: MR.P.S.RAJASEKHAR, Adcvocate

For the Respondent Nos.1 and 2: MR.K.SRINIVASAMURTHY, S.C for Indian Bank.

The Court made the following :

ORDER:

The petitioner worked as an Assistant Manager in the respondent-Bank. He was issued a charge sheet on 5-5-2001, leveling three charges. An enquiry was conducted and was imposed a major penalty of compulsory retirement from service through the order dated 17-12-2002. Against the said order he preferred a statutory appeal to the first respondent on 29-1-2003 and the same is pending till date. He submitted reminder on 27-3-2004 and also got issued a legal notice on 7-7-2004 to the first respondent for the disposal of the appeal but the first respondent did not chose to dispose of the appeal. He therefore, approached this Court seeking a direction to the first respondent to dispose of the appeal according to law.

2. In the light of the circumstances explained by the petitioner, the first respondent is directed to pass appropriate orders on the appeal of the petitioner dated 29-1-2003, according to Rules, within two months from the date of receipt of copy of this order.

3. The Writ Petition is accordingly disposed of. No order as to costs.

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01st September, 2004.

Mrb

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The General Manger & Appellate Authority

The Indian Bank,

Head office,Chennai-600001.

2 The Dy.General Manager & Disciplinary Authority,

The Indian Bank , Indian Bank Circle office,
3-6-365, 2nd floor, Liberty plaza, Himayat Nagar,
Hyderabad.

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